

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ANTHONY HOUSTON DEAN,)
Plaintiff,)
v.)
No.: 3:22-CV-348-KAC-CRW
COMMISSIONER OF THE SOCIAL)
SECURITY ADMINISTRATION,)
Defendant.)

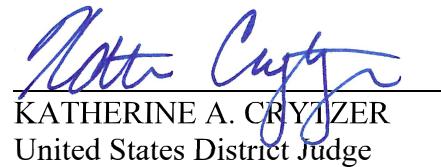
ORDER ADOPTING REPORT AND RECOMMENDATION

This civil case is before the Court on United States Magistrate Judge Cynthia R. Wyrick’s “Report and Recommendation” (“Report”) entered on December 22, 2022 [Doc. 7]. On October 4, 2022, Plaintiff filed a Complaint without paying the filing fee or completing an application to proceed in forma pauperis [*See* Docs. 1; 1-6]. Judge Wyrick recommends that this Court dismiss the action because Plaintiff has not paid the required filing fee or submitted a completed application to proceed in forma pauperis “despite being provided multiple opportunities to do so” [Doc. 7 at 2]. Plaintiff has not objected to the Report, and the time to do so has passed. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2).

As Judge Wyrick analyzed in the Report [*see generally* Doc. 7], Plaintiff has failed to pay the required filing fee or complete an application to proceed in forma pauperis despite the Court continually warning him of the requirement to do so and consequences of failing to do so [*See Docs. 3; 5; 6; 7*]. Without filing either of these documents, Plaintiff's case cannot commence. *See 28 U.S.C. §§ 1914 (requiring a filing fee of \$350 to commence a civil action); 1915(a)(1) (requiring a completed affidavit of a statement of assets to commence a civil action without paying the filing fee).* Accordingly, having reviewed the record, the Court **ACCEPTS** and **ADOPTS**

Judge Wyrick's Report [Doc. 7] under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(2) and **DISMISSES** this action **without prejudice**. An appropriate judgment will enter.

IT IS SO ORDERED.



KATHERINE A. CRYTZER
United States District Judge